

# HOUSE BILL No. 1263

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 6-9-2-2.

**Synopsis:** Lake County innkeeper's tax. Reconciles conflicting versions of IC 6-9-2-2, as amended by HEA 1461-2007 and SEA 500-2007, in favor of the version amended by SEA 500-2007.

**Effective:** Upon passage.

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**Lehe, VanDenburgh**

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January 17, 2008, read first time and referred to Committee on Ways and Means.

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Introduced

Second Regular Session 115th General Assembly (2008)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2007 Regular Session of the General Assembly.

## HOUSE BILL No. 1263

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

*Be it enacted by the General Assembly of the State of Indiana:*

1       SECTION 1. IC 6-9-2-2, AS AMENDED BY P.L.211-2007,  
2       SECTION 45, AND AS AMENDED BY P.L.223-2007, SECTION 6,  
3       IS CORRECTED AND AMENDED TO READ AS FOLLOWS  
4       [EFFECTIVE UPON PASSAGE]: Sec. 2. (a) The revenue received by  
5       the county treasurer under this chapter shall be allocated to the Lake  
6       County convention and visitor bureau, Indiana University-Northwest,  
7       Purdue University-Calumet, municipal public safety departments,  
8       municipal physical and economic development divisions, and the cities  
9       and towns in the county as provided in this section. Subsections (b)  
10      through (g) do not apply to the distribution of revenue received under  
11      section 1 of this chapter from hotels, motels, inns, tourist camps, tourist  
12      cabins, and other lodgings or accommodations built or refurbished after  
13      June 30, 1993, that are located in the largest city of the county.

14      (b) The Lake County convention and visitor bureau shall establish  
15      a convention, tourism, and visitor promotion fund (referred to in this  
16      chapter as the "promotion fund"). The county treasurer shall transfer to  
17      the Lake County convention and visitor bureau for deposit in the

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promotion fund ~~thirty-five~~ thirty-six percent ~~(35%)~~ (36%) of the first one million two hundred fifty thousand dollars ~~(\$1,200,000)~~ (\$1,250,000) of revenue received from the tax imposed under this chapter in each year. The promotion fund consists of:

- (1) money in the promotion fund on June 30, 2005;
- (2) revenue deposited in the promotion fund under this subsection after June 30, 2005; and
- (3) investment income earned on the promotion fund's assets.

Money in the ~~promotion fund bureau's funds~~ **promotion fund** may be expended ~~only~~ **only** to promote and encourage conventions, trade shows, special events, recreation, and visitors ~~within the county.~~ **within the county.** Money may be paid from the promotion fund by claim in the same manner as municipalities may pay claims under IC 5-11-10-1.6.

(c) This subsection applies to the first one million two hundred fifty thousand dollars ~~(\$1,200,000)~~ (\$1,250,000) of revenue received from the tax imposed under this chapter in each year. During each year, the county treasurer shall transfer to Indiana University-Northwest ~~forty-four~~ forty-two and ~~thirty-three~~ seventy-seven hundredths percent ~~(44.33%)~~ (42.77%) of the revenue received under this chapter for that year to be used as follows:

- (1) Seventy-five percent (75%) of the revenue received under this subsection may be used only for the university's medical education programs.
- (2) Twenty-five percent (25%) of the revenue received under this subsection may be used only for the university's allied health education programs.

~~The amount for each year shall be transferred in four (4) approximately equal quarterly installments.~~ **The amount for each year shall be transferred in four (4) approximately equal quarterly installments.**

(d) This subsection applies to the first one million two hundred fifty thousand dollars ~~(\$1,200,000)~~ (\$1,250,000) of revenue received from the tax imposed under this chapter in each year. During each year, the county treasurer shall allocate among the cities and towns throughout the county nine and sixty-eight hundredths percent ~~(9%)~~ (9.68%) of the revenue received under this chapter for that year. ~~The amount of each city's or town's allocation is~~ **The amount of each city's or town's allocation is** as follows:

- (1) ~~Ten~~ Nine percent ~~(10%)~~ (9%) of the revenue covered by this subsection shall be ~~transferred distributed~~ **transferred** to cities having a population of more than ninety thousand (90,000) but

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less than one hundred five thousand (105,000).

(2) ~~Ten Nine percent (10%)~~ (9%) of the revenue covered by this subsection shall be ~~transferred distributed~~ **transferred** to cities having a population of more than seventy-five thousand (75,000) but less than ninety thousand (90,000).

(3) ~~Ten Nine percent (10%)~~ (9%) of the revenue covered by this subsection shall be ~~transferred distributed~~ **transferred** to cities having a population of more than thirty-two thousand (32,000) but less than thirty-two thousand eight hundred (32,800).

(4) ~~Seventy percent (70%) of~~ The remaining revenue ~~covered by that must be allocated among the cities and towns located in the county under~~ this subsection shall be ~~transferred distributed~~ **transferred** in equal amounts to each town and each city not receiving a ~~transfer distribution~~ **transfer** under subdivisions (1) through (3).

The money ~~transferred distributed~~ **transferred** under this subsection may be used only for ~~tourism and~~ economic development projects. The county treasurer shall make the ~~transfers distributions~~ **transfers** on or before December 1 of each year.

(e) This subsection applies to the first one million two hundred fifty thousand dollars ~~(\$1,200,000)~~ (\$1,250,000) of revenue received from the tax imposed under this chapter in each year. During each year, the county treasurer shall transfer to Purdue University-Calumet ~~nine eight and eighty-eight hundredths percent (9%)~~ (8.88%) of the revenue received under this chapter for that year. The money received by Purdue University-Calumet may be used by the university only for nursing education programs.

(f) This subsection applies to the first one million two hundred fifty thousand dollars ~~(\$1,200,000)~~ (\$1,250,000) of revenue received from the tax imposed under this chapter in each year. During each year, the county treasurer shall transfer two and sixty-seven hundredths percent (2.67%) of the revenue received under this chapter for that year to the following cities:

(1) Fifty percent (50%) of the revenue covered by this subsection shall be transferred to cities having a population of more than ninety thousand (90,000) but less than one hundred five thousand (105,000).

(2) Fifty percent (50%) of the revenue covered by this subsection shall be transferred to cities having a population of more than seventy-five thousand (75,000) but less than ninety thousand (90,000).

Money transferred under this subsection may be used only for

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1 convention facilities located within the city. In addition, the money may  
 2 be used only for facility marketing, sales, and public relations  
 3 programs. Money transferred under this subsection may not be used for  
 4 salaries, facility operating costs, or capital expenditures related to the  
 5 convention facilities. The county treasurer shall make the transfers on  
 6 or before December 1 of each year.

7 (g) This subsection applies to the revenue received from the tax  
 8 imposed under this chapter in each year that exceeds one million two  
 9 hundred *fifty* thousand dollars ~~(\$1,200,000)~~ (\$1,250,000). During each  
 10 year, the county treasurer shall distribute money in the promotion fund  
 11 as follows:

12 (1) Eighty-five percent (85%) of the revenue covered by this  
 13 subsection shall be deposited in the convention, tourism, and  
 14 visitor promotion fund. The money deposited in the fund under  
 15 this subdivision may be used only for the purposes for which  
 16 other money in the fund may be used.

17 (2) Five percent (5%) of the revenue covered by this subsection  
 18 shall be transferred to Purdue University-Calumet. The money  
 19 received by Purdue University-Calumet under this subdivision  
 20 may be used by the university only for nursing education  
 21 programs.

22 (3) Five percent (5%) of the revenue covered by this subsection  
 23 shall be transferred to Indiana University-Northwest. The money  
 24 received by Indiana University-Northwest under this subdivision  
 25 may be used only for the university's medical education programs.

26 (4) Five percent (5%) of the revenue covered by this subsection  
 27 shall be transferred to Indiana University-Northwest. The money  
 28 received by Indiana University-Northwest under this subdivision  
 29 may be used only for the university's allied health education  
 30 programs.

31 ~~(h) The county treasurer may estimate the amount that will be~~  
 32 ~~received under this chapter for the year to determine the amount to be~~  
 33 ~~transferred under this section.~~ **(h) The county treasurer may**  
 34 **estimate the amount that will be received under this chapter for the**  
 35 **year to determine the amount to be transferred under this section.**

36 ~~(i) (h)~~ **(i)** This subsection applies only to the distribution of revenue  
 37 received from the tax imposed under section 1 of this chapter from  
 38 hotels, motels, inns, tourist camps, tourist cabins, and other lodgings or  
 39 accommodations built or refurbished after June 30, 1993, that are  
 40 located in the largest city of the county. During each year, the county  
 41 treasurer shall transfer:

42 (1) seventy-five percent (75%) of the revenues under this

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1 subsection to the department of public safety; and  
2 (2) twenty-five percent (25%) of the revenues under this  
3 subsection to the division of physical and economic development;  
4 of the largest city of the county.

5 ~~(i)~~ ~~(j)~~ (j) The Lake County convention and visitor bureau shall assist  
6 the county treasurer, as needed, with the calculation of the amounts that  
7 must be deposited and transferred under this section.

8 SECTION 2. **An emergency is declared for this act.**

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